

REMARKS

Claims 21, 23-27, 29-33, and 39-42 are pending in the application. Claims 21, 24, 26, 30, 32, 33, 39, and 40 are currently amended. Claims 23, 29, 31, 41, and 42 are cancelled without prejudice. Claims 43-46 are newly submitted. No new matter has been added as the amendments have support in the specification as originally filed. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Applicant notes with appreciation the Examiner's comments on page 3 of the Office Action. Specifically, the Examiner noted that the contents of the specification on page 12 lines 9 and 10 are not reflected in the claim language and may advance prosecution. Accordingly, Applicant has submitted claims 45 and 46 to claim the subject matter disclosed on page 12 lines 9 and 10 of the specification.

Claims 21, 23-27, 29-33, 41, and 42 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Runkis (US 2003/0046338). Claims 39 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Runkis and further in view of Delpuch et al. (US 2004/0139480). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

Rejection under 35 U.S.C. § 102(b) as being unpatentable over Runkis

Claims 21, 23-27, 29-33, 41, and 42 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Runkis. Claims 23, 29, 31, 41, and 42 are cancelled without prejudice, thus rendering the rejections of claims 23, 29, 31, 41, and 42 moot.

As amended, independent claim 21 incorporates elements of claim 23. Specifically independent claim 21 recites "obtaining state information from at least two services utilized in the playback of the content, the at least two services comprising an AV Transport service and a

Rendering Control service...the stored state information is later utilized in setting corresponding states of services to resume playback of the content.”

With respect to independent claim 21, page 5 of the Office Action states that paragraph 78 of Runkis discloses “user-generated data files being stores in the central controller’s database,” and therefore teaches “storing the state information in the device according to the action.” With respect to claim 23, page 5 of the Office Action states that paragraph 78 of Runkis discloses an AV transport service and a Rendering Control service. Applicant provides the following remarks.

Paragraph 78 of Runkis discloses that “a transient user can start watching a feature movie in one service zone, e.g. on a flight from New York to Chicago, pause the movie when the plane arrives at the airport in Chicago, change planes, and continue watching the same movie, from the point that at which it was interrupted, on a different plane or even a different airline during the continuing flight, e.g. to San Francisco.”

A review of the passage above reveals that a user may pause the movie on one plane and restart the movie on a different plane, such that the movie begins at the point where the movie was paused on the first plane. However, Applicant submits that Runkis does not teach or suggest that the “the stored state information is later utilized in setting corresponding states of services to resume playback of the content,” where the state information comprises an AV Transport service and a Rendering Control service as required by independent claim 1.

As evidenced in Table 1 and section 2.2.22 of the submitted reference “AVTransport:1 Service Template Version 1.01,” state variables managed by the AV Transport service include a variable “RelativeTimePosition” which corresponds to a current playing position. However, as evidence in section 1.1 of the submitted reference “RenderingControl:1 Service Template Version 1.01,” the Rendering Control services are not related with flow control. Rather, according to what is known in the art, the Rendering Control services refers to display characteristics such as brightness and contrast and audio characteristics such as volume and balance.

Accordingly, Applicant submits that Runkis only teaches storing the position where the movie was paused to be later used in playback. Runkis is silent on disclosing storing Rendering Control services, which as known to those skilled in the art, related to display characteristics such as brightness and contrast and audio characteristics such as volume and balance. Thus, since Runkis is silent on storing display characteristics such as brightness and contrast and audio characteristics such as volume and balance, Applicant submits that Runkis cannot teach or suggest “obtaining state information from at least two services utilized in the playback of the content, the at least two services comprising an AV Transport service and a Rendering Control service” and “the stored state information is later utilized in setting corresponding states of services to resume playback of the content,” as recited in claim 21.

Applicant has demonstrated above that Runkis fails to teach or suggest various elements recited in independent claim 21. Therefore, independent claim 21 is allowable over the cited reference. Additionally, independent claim 26 recites elements similar to independent claim 21. Specifically, independent claim 26 recites “obtain state information from the at least two services utilized in the playback of the content, the at least two services comprising an AV Transport service and the Rendering Control Service,” and “invoke an action to the server to store the state information in the server, the stored state information being later utilized in setting corresponding states of services to resume playback of the content.” Therefore, claim 26 would be allowable for the same reasons presented with respect to claim 21. Finally, claims 21, 24-27, 30, 32, and 33 are allowable by virtue of their respective dependence on allowable independent claims 21 and 26.

Additionally, although not formally rejected, newly submitted claims 43-46 would be allowable by virtue of their respective dependence on allowable independent claims 21 and 26.

**Rejection under 35 U.S.C. § 103(a) as being unpatentable over Runkis
and further in view of Delpuch**

Claims 39 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Runkis and further in view of Delpuch.

Applicant has demonstrated above that Runkis fails to teach or suggest various elements recited in independent claims 21 and 26. Additionally, Applicant submits that Delpuch fails to cure the deficiencies of Runkis with respect to “obtaining state information from at least two services utilized in the playback of the content, the at least two services comprising an AV Transport service and a Rendering Control service” and “the stored state information is later utilized in setting corresponding states of services to resume playback of the content,” as recited in claim 21 and “obtain state information from the at least two services utilized in the playback of the content, the at least two services comprising an AV Transport service and the Rendering Control Service,” and “invoke an action to the server to store the state information in the server, the stored state information being later utilized in setting corresponding states of services to resume playback of the content,” as recited in independent claims 26. Therefore, independent claims 21 and 26 would still be allowable over the cited combination of references. Additionally, claims 39 and 40 are allowable at least by virtue of their respective dependence on allowable claims 21 and 26.

CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Date: July 10, 2009

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